



Rep. Chapin Rose

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09700SB3406ham001

LRB097 18269 KMW 68933 a

1 AMENDMENT TO SENATE BILL 3406

2 AMENDMENT NO. _____. Amend Senate Bill 3406 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by
5 changing Sections 11-19.2-4 and 11-31.1-4 as follows:

6 (65 ILCS 5/11-19.2-4) (from Ch. 24, par. 11-19.2-4)

7 Sec. 11-19.2-4. Instituting code hearing proceedings. When
8 a sanitation inspector observes or otherwise discovers a code
9 violation, he shall note the violation on a violation notice
10 and report form, indicating the name and address of the
11 respondent, if known, the name, address and State vehicle
12 registration number of the waste hauler who deposited the
13 waste, if applicable, a citation to the specific code provision
14 or provisions alleged to have been violated, a description of
15 the circumstances present that constitute the alleged
16 violation ~~the type and nature of the violation~~, the date and

1 time the violation was observed, the names of witnesses to the
2 violation, and the address of the location or property where
3 the violation is observed.

4 The violation notice and report form shall contain a file
5 number and a hearing date noted by the sanitation inspector in
6 the blank spaces provided for that purpose on the form. The
7 violation notice and report form shall state that failure to
8 appear at the hearing on the date indicated may result in a
9 determination of liability for the cited violation and the
10 imposition of fines and assessment of costs as provided by the
11 applicable municipal ordinance. The violation notice and
12 report form shall also state that upon a determination of
13 liability and the exhaustion or failure to exhaust procedures
14 for judicial review, any unpaid fines or costs imposed will
15 constitute a debt due and owing the municipality.

16 A copy of the violation notice and report form shall be
17 served upon the respondent either personally or by first class
18 mail, postage prepaid, and sent to the address of the
19 respondent. If the municipality has an ordinance requiring all
20 or certain property owners to register with the municipality,
21 service may be made on the respondent property owner by mailing
22 the violation notice and report to the owner's address
23 registered with the municipality. If the name of the respondent
24 property owner cannot be ascertained or if service on such
25 respondent cannot be made by mail, service may be made on the
26 respondent property owner by posting a copy of the violation

1 notice and report form in a prominent place upon the property
2 where the violation is found, not less than 10 days before the
3 hearing is scheduled.

4 (Source: P.A. 86-1364.)

5 (65 ILCS 5/11-31.1-4) (from Ch. 24, par. 11-31.1-4)

6 Sec. 11-31.1-4. Instituting code hearing proceedings. When
7 a building inspector finds a code violation while inspecting a
8 structure, he shall note the violation on a multiple copy
9 violation notice and report form, indicating the name and
10 address of the structure owner, a citation to the specific code
11 provision or provisions alleged to have been violated, a
12 description of the circumstances present that constitute the
13 alleged violation ~~the type and nature of the violation~~, the
14 date and time the violation was observed, the names of
15 witnesses to the violation, and the address of the structure
16 where the violation is observed.

17 The violation report form shall be forwarded by the
18 building inspector to the Code Hearing Department where a
19 Docket number shall be stamped on all copies of the report, and
20 a hearing date noted in the blank spaces provided for that
21 purpose on the form. The hearing date shall not be less than 30
22 nor more than 40 days after the violation is reported by the
23 building inspector.

24 One copy of the violation report form shall be maintained
25 in the files of the Code Hearing Department and shall be part

1 of the record of hearing, one copy of the report form shall be
2 returned to the building inspector so that he may prepare
3 evidence of the code violation for presentation at the hearing
4 on the date indicated, and one copy of the report form shall be
5 served by first class mail on the owner of the structure, along
6 with a summons commanding the owner to appear at the hearing.
7 If the municipality in which the structure is situated has an
8 ordinance requiring property owners to register with the
9 municipality, service may be made on the owner by mailing the
10 report and summons to the owner's address registered with the
11 municipality. If the name of the owner of the structure cannot
12 be ascertained or if service on the owner cannot be made by
13 mail, service may be made on the owner by posting or nailing a
14 copy of the violation report form on the front door of the
15 structure where the violation is found, not less than 20 days
16 before the hearing is scheduled.

17 (Source: P.A. 86-1039.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law."